

**REMARKS:**

Claim rejections – 35 USC 102

The examiner has rejected claims 1-7, 12, 14-17, and 21 under 35 USC 102(e) as being anticipated by Aceti et al. (US patent 7,004,928).

In the Office Action mailed 8 January 2007 the Examiner states in respect of claim 13 that Aceti et al. discloses a “common fluid conduit means” (234).

This feature of original claim 13 was incorporated in amended claim 1 filed with the reply dated 30 March 2007. In the Remarks section it was pointed out by Applicant that reference numeral 234 appears to denote a sensor mounted to a slider 268, this as described in column 10, lines 61-67.

In the Response to Arguments section the Examiner feels it should have been clear to the Applicant that the channel 234 was being referenced in the rejection, this as disclosed in Col. 10, line 59, not the sensor 234 as disclosed in Col. 10, line 66.

Applicant respectfully submits that also Col. 10, line 59 and the therein referenced element 234 clearly fails to disclose a common fluid conduit means.

More specifically, the full sentence Col. 10, lines 58-60 refers to a “conduit 234” with reference to fig. 3. Turning to fig. 3 and the corresponding description in Col. 8, lines 35-56 a micro needle 14 with a proximal end 44 is described which interfaces with a micro channel 20 via opening 48 and conduit 42. Turning to fig. 6 and the corresponding disclosure in Col. 10, lines 58-60 the micro needle 14 is now 214 (instead of 14), the proximal end is now 244, and the micro channel 20 is now 220 which are also readily apparent from fig. 6 when compared with fig. 3. From this also follows that the conduit “234” refers to the conduit 42 of fig. 3 and thus correctly should have been designated by the number 242 if the same nomenclature was used as for the elements 214, 244 and 220.

As follows from this analysis, the conduit “234” disclosed in Col. 10, line 59 corresponds to the conduit 42 in fig. 3 and is thus not a “common fluid conduit means” as defined in current claim 1 but merely a single conduit between the needle 214 and the micro channel 220.

Reference is also made to the arguments presented in the reply dated 30 March 2007.

Claim rejections – 35 USC 103

The examiner has rejected claims 1-8, 12 and 21 under 35 USC 103(a) as being unpatentable over Groth (WO 01/93927) in view of Aceti et al.

In the Office Action mailed 10 May 2007 the Examiner repeats the arguments made in the Office Action mailed 8 January 2007 in respect of claim 1 and thereby fails to address: (i) The arguments presented in respect of the adhesive means, and (ii) the new features incorporated in amended claim 1.

Re (i): As also submitted in the reply dated 30 March 2007 Groth discloses a needle magazine intended for handheld use together with a cartridge for which reason the provision of an adhesive surface would be against the teaching of Groth as well as preventing the needle magazine for being used as intended.

Re (ii): Current claim 1 was amended to incorporate the feature of a common fluid conduit for the plurality of needles, however, it appears the Examiner has failed to consider this additional feature.

As pointed out in the reply dated 30 March 2007, the purpose of the needle magazine of Groth is to provide a number of needles each having a proximal end adapted to be inserted directly into the cartridge (see page 3, lines 9-14), it follows that a common conduit arranged between the proximal end of the needle and the cartridge would actually jeopardize the intended functionality of the disclosed magazine as it would prevent a fresh needle to be inserted into the cartridge for each use of a new needle.

Reference is also made to the arguments presented in the reply dated 30 March 2007.

Conclusion

It appears the Examiner has failed to fully appreciate the teaching of the prior art, as well as the amendments made to claim 1 and the arguments presented in support of patentability therefore.

Thus, reconsideration of the present final rejection is respectfully requested in respect of claim 1.

All further claims are dependent upon an independent claim.

The Commissioner is hereby authorized to charge any fees, including fees for extensions of time, in connection with this application and to credit any overpayments to Deposit Account No. 14-1447. Should the Examiner have any questions or concerns, she should feel free to contact the applicants' attorney to discuss them.

Respectfully submitted,

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